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<b>TRANSMITTAL LETTER TO THE UNITED STATES</b> <b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b> <b>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> <b>20518/24 (M-1107)</b> <b>10/538543</b> U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
<b>INTERNATIONAL APPLICATION NO.</b> <b>PCT/US03/00256</b>	<b>INTERNATIONAL FILING DATE</b> <b>6 January 2003 (06.01.2003)</b>	<b>PRIORITY DATE</b> <b>6 January 2003 (06.01.2003)</b>
<b>TITLE OF INVENTION</b> <b>TYMPANIC THERMOMETER WITH EJECTION MECHANISM</b>		
<b>APPLICANT(S) FOR DO/EO/US</b> <b>LANTZ, Loren and HARR, James</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). <b>Items 11 to 20 below concern document(s) or information</b> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information:		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 101.101) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/538543</div>		INTERNATIONAL APPLICATION NO. PCT/US03/00256		ATTORNEY'S DOCKET NUMBER 20518/24 (M-1107)	
The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee . . . . . \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). . . . . \$100				\$ 200.00	
All other situations. . . . . \$200					
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority . . . . . \$100					
International Search Report prepared and provided to the Office . . . . . \$400				\$ 500.00	
All other situations. . . . . \$500					
<b>TOTAL OF 21, 22 and 23 =</b>				<b>\$ 1,000.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
5 - 100 =	0 /50 =	0	x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 - 20 =	0	x \$50.00	\$ 0.00	
Independent claims	3 - 3 =	0	x \$200.00	\$ 0.00	
Multiple Dependent Claims (if applicable) <input type="checkbox"/>			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1,000.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
<b>SUBTOTAL =</b>				<b>\$ 1,000.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1,000.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per				+	\$
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1,000.00</b>	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account <u>500369</u> in the amount of <u>\$1,000.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account <u>500369</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p><b>SEND ALL CORRESPONDENCE TO:</b></p> <p>Mark S. Leonardo, Esq. Brown Rudnick Berlack Israels LLP One Financial Center Boston, MA 02111 Tel: (617) 856-8145 Fax: (617) 856-8201 Customer No.: 21710</p>					
				SIGNATURE	
				Mark S. Leonardo	
				NAME	
				41,433	
				REGISTRATION NUMBER	

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>			Docket No. <b>20518/24</b> <b>(M-1107)</b>
Applicant(s) <b>LANTZ et al.</b>			
Serial No.  <b>To Be Assigned</b>	Filing Date  <b>HEREWITH</b>	Examiner  <b>To Be Assigned</b>	Group Art Unit  <b>To Be Assigned</b>
Invention:  <b><i>TYMPANIC THERMOMETER WITH EJECTION MECHANISM</i></b>			
<p>I hereby certify that this <b>U.S. 371 NATIONAL STAGE</b> application consisting of:</p> <p>2 pgs Application Transmittal papers and 1 copy 3 pgs. executed Declaration and Power of Attorney <b>\$1000.00</b> filing fee (<b>CHARGE TO DEPOSIT ACCOUNT 50-0369</b>) Acknowledgement Postcard 7 Total pages submitted <i>(includes Certificate of Express Mail)</i></p> <p>is being deposited with the United States Post Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope to: Mail Stop PCT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>June 10, 2005</u>  (Date)</p> <p><u>Michelle A. Aiello</u> (Typed or Printed Name of Person Mailing Correspondence) <u>Michelle A. Aiello</u> (Signature of Person Mailing Correspondence)</p> <p><u>EV 400527950 US</u> (<i>"Express Mail"</i> Mailing Label Number)</p> <p><b>Note: Each paper must have its own certificate of mailing.</b></p>			

PATENT  
Attorney Docket No.: 20518/24 (M-1107)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):        Lantz et al.                      EXAMINER:    Not yet assigned  
SERIAL NO.:           10/538,543                      GROUP:        Not yet assigned  
FILED:                June 10, 2005  
FOR:                    *TYMPANIC THERMOMETER WITH EJECTION MECHANISM*

CERTIFICATE OF EXPRESS MAIL

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 in an envelope addressed to: MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Express Mail Label No. EV 593 582 327 US on:

By: *Erin K. Duff*  
Erin K. Duff

*June 29, 2005*  
Date

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CHANGE OF CORRESPONDENCE ADDRESS

Sir:

Please send all future correspondence for this application to:

Tyco Healthcare Group LP  
15 Hampshire Street  
Mansfield, MA 02048  
Attention: Intellectual Property Dept. Docketing Clerk  
Telephone: (508) 261-8000

Please direct all telephone calls to:

Intellectual Property Dept.  
Telephone: (508) 261-8000

Respectfully submitted,

**BROWN RUDNICK BERLACK ISRAELS LLP**



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